

Appl. No. 10/661,652

Reply to Office action of March 30, 2006

Docket. No.: 022.0008 (1630)

REMARKS

In the November 9, 2005 Office Action, the Examiner allowed claims 17-40, 43, and 44, and rejected claims 2-15, 41, and 42. Claim 41 has been amended, and claim 42 has been cancelled. Claims 2-15 and 17-41, 43-44 (41 total claims; 4 independent claims) remain pending in the application. Reconsideration of the application is respectfully requested in view of the following remarks.

I. Claim Rejections – 35 U.S.C. § 103

Claims 2-15 and 17-44 have been rejected under Section 103 based on a variety of combinations of references. More particularly, claims 41-42 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Pat. Pub. No. 2002/01139822 (the “Infanti reference”) in view of the Huang reference. Claims 10-12 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Lanzl reference as modified by the Huang reference and further in view of U.S. Pat. Pub. No. 2003/0125725 (the “Woodward reference,” of record). Claim 13 stands rejected under 35 U.S.C. § 103 as being unpatentable over the Lanzl reference as modified by Huang and further in view of U.S. Pat. No. 6,809,699 (the “Chen reference,” of record). Claims 14-15 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Lanzl reference as modified by the Huang reference and in further view of U.S. Patent No. 6,061,036 (the “MacDonald reference,” of record). Independent claim 41, as well as claims 2-9 and 42 which variously depend from claim 41, stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Pat. No. 6,353,406 (the “Lanzl reference,” of record) in view of U.S. Pat. No. 5,220,335 (the “Huang reference,” of record). All of these rejections are respectfully traversed.

The Examiner argues that the elements relating to the handheld and portable nature of the claimed invention in claim 41 (prior to the present amendment) was included in the preamble alone, and is therefore not a structural limitation. Claim 41 has been amended to recite that the portable/handheld device is configured to operate as a handheld, portable RFID interrogator. Thus, none of the cited references, taken alone or in combination, include each and every element of the body of claim 41. Accordingly, Applicants submit that claim 41 is in condition for allowance, and that the various dependent claims depending therefrom are also in condition for allowance for at least that reason.

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The Examiner states that that “[i]t would have been obvious to one having ordinary skill in the art to employ [the] Huang antenna array to [the] tag system in order to achieve highly directional antenna patterns and provide a low profile antenna as well.” Applicants respectfully traverse this rejection and submit that neither Huang nor Lanzl include any suggestion to combine the use of high-directionality antenna patterns and low profile antenna elements, particularly in the context of a portable, handheld RFID interrogator.

Accordingly, for at least the reasons stated above, Applicants respectfully request that the rejections under 35 U.S.C. § 103 be withdrawn.

II. Allowable Subject Matter

Applicants acknowledge that claims 17-40, 43, and 44 are allowable as indicated on the Office Action Summary.

III. Conclusion

In view of Applicants' amendments and remarks, it is respectfully submitted that the Examiner's objections and rejections under 35 USC § 103, have been overcome. Accordingly, Applicants respectfully submit that the application is in condition for allowance, and such allowance is therefore earnestly requested. Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the Applicants' attorneys at the telephone number below.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 6/30, 2006

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